

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6292

BILL NUMBER: SB 588

NOTE PREPARED: Jan 23, 2013

BILL AMENDED:

SUBJECT: Aggravated Battery on a Child.

FIRST AUTHOR: Sen. Young R

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: The bill provides that a person at least 21 years of age who commits aggravated battery against a child less than 12 years of age is a credit-restricted felon. (A credit-restricted felon earns one day of credit time for each six days served and is not entitled to educational credit.)

Effective Date: July 1, 2013.

Explanation of State Expenditures: The bill could increase the time a person over 21 years of age serves for aggravated battery on a child under 12 years of age, a Class B felony. Currently, the offender could earn up to one day of credit time for each day served. A credit-restricted felon would receive only one day of credit time for each six days served.

The average length of stay in Department of Correction (DOC) facilities for all Class B felony offenders is approximately 3.7 years. Assuming most of these individuals were receiving one day of credit time for each day served, each additional credit-restricted Class B felon would receive, on average, 2.7 years of additional incarceration time.

During the first 11 months of CY 2012, 67 people over 21 years of age were committed for aggravated battery, but it is unknown how many of the victims were under 12 years of age.

Background: A Class B felony is punishable by a prison term ranging from 6 to 20 years, depending upon mitigating and aggravating circumstances. The average expenditure to house an adult offender was \$18,582

in FY 2012. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$3,234 annually, or \$8.86 daily, per prisoner.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs' Association, Department of Correction.

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